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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/550,266

09/21/2005

Thomas Stocker

WACHP008

1336

25920 7590 07/26/2010  
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EXAMINER

KRETZMER, ERIKA A

ART UNIT

PAPER NUMBER

2192

MAIL DATE

DELIVERY MODE

07/26/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**SUPPLEMENTAL  
Notice of Allowability**

Application No.

10/550,266

Examiner

Erika Kretzmer

Applicant(s)

STOCKER, THOMAS

Art Unit

2192

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephone communications on 7/19 and 7/23/2010.
2. ☒ The allowed claim(s) is/are 1-5,8-10,12-16,19-21,24 and 25.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>7/6/2010</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                   | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.   |

/Erika Kretzmer/  
Examiner, Art Unit 2192

/Tuan Q. Dam/  
Supervisory Patent Examiner, Art Unit 2192

Art Unit: 2192

**DETAILED ACTION**

1. This supplemental Office action is responsive to applicant's information disclosure statement filed July 6, 2010 and to correct a typographical error in Claim 21 of the previous Examiner's Amendment, mailed 4/28/2010.
2. Claims 1-5, 8-10, 12-16, 19-21, 24 and 25 stand allowed, as noted in the Notice of Allowability mailed 4/28/2010.

***Information Disclosure Statement***

3. The Information Disclosure Statement filed on July 6, 2010 was filed with a statement in compliance with 37 CFR 1.97(e) and the fee specified in 37 CFR 1.17(p). Accordingly, this IDS has been considered. An initialed copy of Form 1449 is enclosed herewith

***Examiner's Amendment***

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
5. Claim 21 is amended to reflect changes discussed during the telephone interview with Peter B. Martine on April 22, 2010 with regard to directing the claim to statutory subject matter. The word "tangible" was inadvertently omitted from the previous Examiner's Amendment. Authorization for this examiner's amendment was given in a telephone interview with Peter B. Martine (Reg. No. 32,043) on July 23, 2010.

**IN THE CLAIMS:**

Claim 21 is amended as follows:

Claim 21 (Currently Amended): At line 1, before "computer" insert tangible.

Art Unit: 2192

***Conclusion***

6. Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Erika Kretzmer** whose telephone number is **(571) 270-5554**. The Examiner can normally be reached Monday through Thursday, 9:30am-6:00pm Eastern Time. If attempts to reach the examiner are unsuccessful, the Examiner's supervisor, **Tuan Dam** can be reached at **(571) 272-3695**.
7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> . Please direct questions on access to the Private PAIR system to the Electronic Business Center (EBC) at **866.217.9197** (toll-free).
8. Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

or faxed to 571-273-8300. Hand delivered responses should be brought to the United States Patent and Trademark Office Customer Service Window:

Randolph Building

401 Dulany Street

Alexandria, VA 22314.

/Erika Kretzmer/  
Examiner, Art Unit 2192  
July 23, 2010

/Tuan Q. Dam/  
Supervisory Patent Examiner, Art Unit 2192